

**Re UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:21-CV-463-JRG
vs.)	
)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO., LTD.,)	
SAMSUNG ELECTRONICS AMERICA,)	
INC., SAMSUNG SEMICONDUCTOR,)	
INC.,)	
)	
Defendants.)	

**DECLARATION OF YANAN ZHAO IN SUPPORT OF NETLIST, INC.'S
MOTION TO STRIKE PORTIONS OF THE OPENING EXPERT REPORT OF
JOSEPH McALEXANDER**

I, Yanan Zhao, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Motion to Strike Portions of the Opening Expert Report of Joseph McAlexander. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a placeholder for a true and correct copy of the opening Expert Report of Joseph C. McAlexander III Regarding Invalidity & Other Issues Related to Plaintiff’s U.S. Patent Numbers: 10,860,506; 10,949,339; 11,016,918, and 11,232,054, dated December 22, 2022 (“Mr. McAlexander’s opening report”).

3. Attached as **Exhibit 2** is a true and correct excerpted copy of the opening Expert Report of John B. Halbert, dated December 22, 2022.

4. Attached as **Exhibit 3** is a true and correct copy of Samsung’s P.R. 3-3 Invalidity Contentions for U.S. Patents 9,318,160 and 8,787,060, dated July 13, 2022.

5. Attached as **Exhibit 4** is a true and correct copy of Samsung production document SAM-NET000315912.

6. Attached as **Exhibit 5** is a true and correct copy of “Attachment E” to Mr. McAlexander’s opening report.

7. Attached as **Exhibit 6** is a true and correct copy of “Attachment F” to Mr. McAlexander’s opening report.

8. Attached as **Exhibit 7** is a true and correct copy of Appendix A to this motion.

9. Attached as **Exhibit 8** is a true and correct copy of “Attachment D” to Mr. McAlexander’s opening report.

10. Attached as **Exhibit 9** is a true and correct copy of Appendix B to this motion.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 3, 2023, in Los Angeles, California.

By /s/ Yanan Zhao
Yanan Zhao